

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Investigation on the Commission’s Own Motion into the Operations and Practices of Pacific Gas and Electric Company’s Natural Gas Transmission Pipeline System in Locations with Higher Population Density	I.11-11-009 (Filed November 10, 2011)
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION  
AND, IF REQUESTED (and [ ]<sup>1</sup> checked), ADMINISTRATIVE LAW JUDGE’S  
RULING ON [Intervenor’s Name]’S SHOWING OF SIGNIFICANT FINANCIAL  
HARDSHIP**

Customer (party intending to claim intervenor compensation): The Utility Reform Network (TURN)			
Assigned Commissioner: Florio		Assigned ALJ: Yip-Kikugawa	
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this NOI and has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).			
Signature:		/s/	
Date:	March 5, 2012	Printed Name:	Thomas J. Long

**PART I: PROCEDURAL ISSUES**

(To be completed by the party (“customer”) intending to claim intervenor compensation)

A. Status as “customer” (see Pub. Util. Code § 1802(b)): The party claims “customer” status because the party (check one):	Applies (check)
1. Category 1: Represents consumers, customers, or subscribers of any electrical, gas, telephone, telegraph, or water corporation that is subject to the jurisdiction of the Commission (§ 1802(b)(1)(A)).	
2. Category 2: Is a representative who has been authorized by a “customer” (§ 1802(b)(1)(B)).	
3. Category 3: Represents a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers, to represent “small commercial customers” (§ 1802(h)) who receive bundled electric service from an electrical corporation (§ 1802(b)(1)(C)), or to represent another eligible group.	X
4. The party’s explanation of its customer status, with any documentation (such as	

<sup>1</sup> DO NOT CHECK THIS BOX if no finding of significant financial hardship is needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

articles of incorporation or bylaws) that supports the party's "customer" status. Any attached documents should be identified in Part IV.

In D.98-04-059, the Commission directed intervenors to state in their NOIs which of three customer "categories" they fall within. TURN is a "group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential ratepayers." The decision also requires groups such as TURN to include in their NOIs a copy of the authorization in their articles of incorporation to represent residential customers, or to provide a reference to a previous filing. D.98-04-059, p. 30. TURN provided the relevant portion of our articles of incorporation in the NOI submitted in A.98-02-017, and again in A.99-12-024. The articles of incorporation have not changed since the time of those earlier submissions. Finally, D.98-04-059 directs groups such as TURN to indicate the percentage of their members that are residential ratepayers. Id., FOF 12. TURN has approximately 20,000 dues paying members, of whom we believe the vast majority are residential ratepayers. TURN does not poll our members in a manner that would allow a precise breakdown between residential and small business members, so a precise percentage is not available.

TURN does not have any direct economic interest in the outcomes the Commission may adopt in this proceeding.

<b>B. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)):</b>	<b>Check</b>
1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: <u>February 3, 2012</u>	Yes <u>X</u> No <u>  </u>
2. Is the party's NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	Yes <u>  </u> No <u>  </u>
2a. The party's description of the reasons for filing its NOI at this other time:	
2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, ALJ ruling, or other document authorizing the filing of NOI at that other time:	

## PART II: SCOPE OF ANTICIPATED PARTICIPATION

(To be completed by the party ("customer") intending to claim intervenor compensation)

<b>A. Planned Participation (§ 1804(a)(2)(A)(i)):</b>
<ul style="list-style-type: none"> <li>• The party's statement of the issues on which it plans to participate.</li> </ul> <p>TURN's interest in this proceeding is broadly to assess PG&amp;E's compliance with</p>

applicable requirements for the operation of its natural gas transmission pipeline system in areas of greater population density or other areas that meet the definition of High Consequence Areas (“HCAs”). TURN is also interested in examining PG&E’s past practices with respect to pipeline in HCAs as such issues may form a record for disallowances of expenditures PG&E is seeking in R. 11-02-019. TURN will focus on more specific issues after we review reports and testimony submitted by CPSD and PG&E.

- The party’s explanation as to how it plans to avoid duplication of effort with other parties and intervenors.

TURN intends to cooperate closely with CPSD and DRA and other intervenors in order to minimize potential overlap on issues and to ensure that, where such overlap occurs, each party is presenting a different perspective or analysis.

- The party’s description of the nature and extent of the party’s planned participation in this proceeding (as far as it is possible to describe on the date this NOI is filed).

TURN intends to participate actively in this proceeding; however, the nature of our participation may be more limited than is customary as TURN expects that the primary source of investigation and testimony will be CPSD. TURN expects to review the reports and testimony submitted in this proceeding to further determine the nature of our participation. TURN expects to conduct some discovery and file all necessary briefs and pleadings to address relevant policy and legal issues. TURN may also present expert witness testimony.

<b>B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):</b>				
<b>Item</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Total \$</b>	<b>#</b>
<b>ATTORNEY, EXPERT, AND ADVOCATE FEES</b>				
Thomas Long	100	520	52,000	
Marcel Hawiger	50	350	17,500	
Expert in Pipeline Safety and Operations			20,000	
		<b>Subtotal:</b>	89,500	
<b>OTHER FEES</b>				
[Person 1]				
[Person 2]				
		<b>Subtotal:</b>		
<b>COSTS</b>				
Legal Research			1,000	
Photocopying			500	
Consultant Travel			1,500	1
		<b>Subtotal:</b>	3,000	
		<b>TOTAL ESTIMATE \$:</b>	92,500	
<p>Estimated Budget by Issues:            At this early stage of the proceeding (before even the issuance of a Scoping Ruling), TURN believes that all of its expected hours and costs will relate to the general issue of PG&amp;E's compliance with applicable requirements related to HCA and other areas of greater population density. If other more specific issues arise, TURN will endeavor to track its hours and costs according to such issues.</p> <p>Comments/Elaboration (use reference # from above):            1 – Based on our present knowledge, we anticipate that any expert witness will be located out of state and will require non-routine travel cost reimbursement.</p> <p>When entering items, type over bracketed text; add additional rows to table as necessary.            Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation (as well as travel time) is typically compensated at ½ of preparer's normal hourly rate.</p>				

**PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP**

(To be completed by party ("customer") intending to claim intervenor compensation; see Instructions for options for providing this information)

<b>A. The party claims "significant financial hardship" for its Intervenor Compensation Claim in this proceeding on the following basis:</b>	<b>Applies (check)</b>
1. "[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation" (§ 1802(g)); or	
2. "[I]n the case of a group or organization, the economic interest of the individual members of the group or organization is small in comparison	

to the costs of effective participation in the proceeding” (§ 1802(g)).	
3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption of eligibility for compensation in this proceeding (§ 1804(b)(1)).	X
ALJ ruling (or CPUC decision) issued in proceeding number:  ALJ Ruling in R.11-11-008  Date of ALJ ruling (or CPUC decision):  January 3, 2012	

<b>B. The party’s explanation of the factual basis for its claim of “significant financial hardship” (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOI):</b>

**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC ASSERTIONS MADE IN THIS NOTICE**  
(The party (“customer”) intending to claim intervenor compensation identifies and attaches documents; add rows as necessary)

Attachment No.	Description
1	Certificate of Service – served and filed as a separate document

**ADMINISTRATIVE LAW JUDGE RULING<sup>2</sup>**  
(ALJ completes)

	Check all that apply
<b>1. The Notice of Intent (NOI) is rejected for the following reasons:</b>	
a. The NOI has not demonstrated the party’s status as a “customer” for the following reason(s):	
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	
c. The NOI has not adequately described the scope of anticipated	

<sup>2</sup> An ALJ Ruling needs not be issued unless: (a) the NOI is deficient; (b) the ALJ desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer’s Intervenor Compensation Claim); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(g).

participation (Part II, above) for the following reason(s):	
<b>2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).</b>	
<b>3. The NOI has not demonstrated significant financial hardship for the following reason(s):</b>	
<b>4. The ALJ provides the following additional guidance (see § 1804(b)(2)):</b>	

**IT IS RULED that:**

	Check all that apply
1. The Notice of Intent is rejected.	
2. Additional guidance is provided to the customer as set forth above.	
3. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	
4. The customer has shown significant financial hardship.	
5. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	

Dated \_\_\_\_\_, at San Francisco, California.

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ADMINISTRATIVE LAW JUDGE